28 February 2020

Mr Michael Lennon
Chairman – State Planning Commission

By email: Opti.planningreformsubmissions@sa.gov.au

Dear Michael

RE: PLANNING AND DESIGN CODE PHASE 3 SUBMISSION – LIGHTSVIEW JV

The Lightsview development is an innovative urban infill land development located 8km from Adelaide’s CBD. It is being developed in Joint Venture by Peet Limited and the South Australian State Government’s Renewal SA. The site comprises approximately 102ha and will ultimately accommodate more than 2700 dwellings.

We have reviewed the draft Planning and Design Code (PDC) and have a number of issues arising. One of our key observations is that there is presently inadequate distinction in respect to the policy settings which we understand are intended to apply to small scale infill and to address impact on established character as compared to the policy setting that should apply to larger master planned sites (located within both an infill and greenfield context).

We generally consider that the proposed policies that would apply to a master planned site are too conservative from a density and height perspective. Further, several of the General Policies under the heading of ‘Design in Urban Areas’ are not considered relevant or appropriate in a master planned environment where matters such as soft landscaping and car parking can be planned through the master plan process.

In order to best demonstrate our issues of concern, we have presented the key issues as they relate to our current project. We then also raise matters of a more general nature which can impact all projects.

1. Lightsview

The Lightsview development commenced in 2007 with a clear objective to provide a diverse range of housing options at a density greater than the surrounding developments of Northgate and Oakden. The project is aligned to the aspirations of The 30-Year Plan for Greater Adelaide to significantly increase quality infill development within Adelaide.
1.1 Master Planned Suburban Neighbourhood Zone

The draft PDC proposes to apply the Master Planned Suburban Neighbourhood (MPSN) Zone to Lightsview.

Since its commencement, Lightsview has consistently been one of Adelaide’s most successful and popular land development projects achieving on average over 175 sales a year and has provided many first homebuyers with an opportunity to purchase a home as result of the innovative new housing that have been developed. Lightsview has been the recipient of numerous national industry awards over the last decade and is an exemplar case study for delivering innovation and affordable housing for many government agencies and developers interstate.

The project has successfully achieved all of the following paramount objectives that were set for the project by government.

1. Develop a high-quality residential project, incorporating a wide diversity of housing, consistent with the Government’s urban consolidation policy.
2. Achieve excellence in urban design and innovative built form through an integrated approach to land, housing, public space and other development.
3. Optimise the Government’s commercial return on investment that is commensurate with the timing, risk, development mechanism and objectives of the project.
4. Achieve advanced sustainable development outcomes that are consistent with Government policies, the desired commercial performance of the project, and the constraints of the site.
5. Deliver a diversity of marketable housing products by providing a range of opportunities for builders to participate in the project.
6. Meet a target of 15% of new housing to be available for high needs and affordable housing.

If Lightsview was developed within the constraints of the proposed MPSN Zone, the project could not have achieved the Paramount Objectives set by government. This would have resulted in a significant reduction in the innovative, affordable built form housing that Lightsview has become nationally recognised for.

Lightsview is presently located in the Suburban Neighbourhood Zone. It is relevant to note that the current zoning has evolved through two Ministerial DPA’s, which have been undertaken since the initiation of the project in 2007. The planning policy was established around a shared vision of innovation and affordability in both land and built form products which further enhanced the projects ability to deliver against the Paramount Objectives.

Lightsview is an outstanding example of a modern, urban infill master planned development. The complete integration of the urban design and built form has ensured all aspects of public open space, stormwater management, car parking, community wellbeing and built form massing are considered resulting in a far superior development outcome when compared to small scale urban infill development.

Whilst policies have been established to ensure an appropriate interface to the zone boundary, within the current zone itself, the planning policy has evolved to promote the innovation and to respond to the clear demands of the market.
The master plan set the scene, with the planning policy set to reflect the master plan.

To date, more than 2,000 allotments and approximately 1,600 dwellings have been created. All allotments, through the master planning, have been established to accommodate housing typologies which require relatively unique policies in respect to density, building height, setbacks, car parking and private open space.

A detailed review of this MPSN zone reveals that it is not in our opinion a ‘like for like’ zone as compared to the current, and in effect represents a ‘down zoning’ of Lightsview, with significant risk to obtaining approval for current and planned built form.

In particular, we note that different/more conservative policy settings are proposed to apply in respect to:

- Density;
- Building height;
- Car parking;
- Building design and interface management within designated centres;
- Public notification.

The unsuitability of the proposed policy is highlighted by the fact that the Lightsview project has for the last decade or more delivered medium to high density development in the form of terraces, apartments (at 180 dw/ha net) and medium rise (4 storey) apartments.

The MPSN Zone anticipates low-medium density and low-medium rise outcome, limited to 3 storeys outside of Activity Centres. Whilst the gross density is intended to apply across the whole of the zone, there are stages of Lightsview which are medium to high density, which presents challenges in applying the proposed policy.

Overall, there is a mismatch in terms of anticipated density and more particularly building height.

As a consequence, some of the areas with ‘terrace’ housing and apartments will exceed a net density of 40dw/ha and won’t achieve setback and building height ‘Deemed to Satisfy’ (DTS) requirements. As such commonly established built form outcomes will therefore be subject to public notification.

Similarly, the four-storey apartment won’t achieve the DTS in respect to building height and car parking and therefore would also be subject to public notification. At the present time, all development within Lightsview is Category 1 (unless at the boundary of the zone or if non-complying).

Development which is subject to public notification creates delay and uncertainty in respect to the planning process, with development applications on land to be developed by the Lightsview JV likely to be considered by the City of Port Adelaide Council Assessment Panel should there be any representations arising from the notification process. This would completely change the manner in which applications have been assessed since the initiation of the project.

In our reading, the extent of the variation between the existing and proposed policies is such that the PDC will not necessarily support current built form outcomes on existing approved allotments.
It is important to note that these allotments have and continue to be sold by the State Government (Renewal SA) with purchasers having expectation of replicating the key elements of the terrace housing already established.

In our view private purchasers, many of which will be first homebuyers, will be significantly disadvantaged by the proposed MPSN Zone if they are not able to construct a dwelling on land they have already acquired in line with the current planning policies.

**Recommendation 1.1**

The incorrect zone from the PDC has been selected for Lightsview. An alternate zone is required in order to accommodate the built form presently developed within Lightsview.

Having reviewed alternative zones, the Urban Neighbourhood Zone is the closest match to the current zone. Adoption of this zone is requested to address the key density and in particular building height matters raised to allow the approved masterplan and paramount objectives of the project be delivered.

**1.2 Car Parking**

Despite the recent commentary by some stakeholders that Lightsview provides a lack of private vehicle parking, a recently completed parking assessment identified that across the Lightsview project over 5,500 off street parks (average 2 per dwelling) and 2,000 on street parks will be provided which is far in excess of the current parking requirements. This has been achieved through the masterplan approach to the design of both the streets and built form which has allowed a far more efficient street network to be designed and constructed.

In summary the scale of the project and the master planned approach resulted in innovation and an integrated development which addresses the challenges that many Councils are experiencing with minor infill development.

In order to retain the current policy settings at Lightsview, which enable 1 car park for a 3-bedroom dwelling, we require that an exemption be provided which retains the current car park policy settings for Lightsview.

**Recommendation 1.2**

Whilst there may be various options available to address this matter, we suggest that the exemption to be provided which retains the current car park policy settings for Lightsview is best included in Table 2 under the Transportation, Access and Parking section of the General Policies.

Under the heading residential development, the following car parking rates should apply for Lightsview, noting the designated area may need to be identified spatially:

- Dwellings (other than residential flat building) = 1 space per dwelling; and
- Residential flat building = 1 space per dwelling, plus 0.25 spaces per dwelling for visitor parking
1.3 Public Notification

Further amendments (within any alternate zone) would be needed to address the broadened public notification proposed by the PDC. We understand that this issue has already been generally raised with DPTI and is being considered by the State Planning Commission.

2. General Items

Master planned Development

We understand that the PDC includes a number of policies to ensure appropriate, quality infill development within Adelaide.

Lightsview is an outstanding example of modern, urban infill development that has been designed and delivered under an approved master plan. The complete integration of the Urban Design and Built form ensures a far superior development outcomes when compared to small scale urban infill development.

For example, we see that there are a number of policies which should be varied or exempted in master planned developments, such as those that relate to landscaping and tree planting:

- Performance Objective 10.1, 10.2; and
- Performance Objective 21.1, 21.2.

Recommendation 2.1

That the proposed PDC provides master planned developments (say in excess of 1ha) with concessions over and above standard minor infill developments where it can be demonstrated that an integrated development outcome will be achieved. Such could be in the form of catalyst/strategic site policy that enable greater density and height whilst managing the interface.

2.1 Overlays

Whilst the Lightsview JV recognises the need for policies to protect state interests, one of the implications of the Overlays is that dwellings which might otherwise be deemed to satisfy, fall into the 'performance assessed' pathway.

A key example is the Noise and Air Emissions Overlay. The policies contained within have no DTS provisions, therefore providing no certainty. We suggest that DTS provisions be formulated (potentially referencing a relevant Australian Standard or Minister’s Code) in order to optimise the number of dwellings which can achieve DTS. This is just one example, and we understand that DPTI is reviewing the draft Overlay policies in order to avoid such issues.

2.2 Residential Flat Buildings

We submit that within zones where medium density and medium rise development is envisaged, residential flat buildings up to five storeys in height should be DTS. This is particularly relevant in master planned sites (for instance over 1ha in area) where there is potential for height and density to be established whilst managing the established character at the interface.
Whilst this may be a matter for future iterations of the PDC, we do not think it would be difficult to establish DTS criteria based on the 4-storey residential apartments developed at Lightsview.

In conclusion, we consider that some important amendments to the draft PDC are required in order to ensure key development rights established under the current relevant Development Plans relating to Lightsview are retained.

We would be pleased to meet with DPTI in order to further discuss the matters raised and to consider options for satisfactory resolution.

Yours Sincerely

WAYNE STOKES
CHAIRMAN – LIGHTSVIEW JV